

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

In Re:

TINA A. JOHNSON,
Debtor.

Case No. 16-09593-JMC-13

**DEBTOR'S MOTION TO MODIFY PLAN POST-CONFIRMATION
AND NOTICE OF OBJECTION DEADLINE**

Debtor, by counsel, hereby moves the Court, pursuant to 11 U.S.C. § 1329, to modify the plan that was confirmed on February 24, 2017, as follows:

1. Debtor's payments are via a voluntary wage assignment order; however, Debtor's employer is inconsistent in withholding funds for Debtor's plan payments. Debtor further experienced unexpected car repair expenses, all of which culminated in her becoming delinquent to the Trustee.
2. Debtor has paid a total of \$15,778.00 to the Trustee since January 22, 2018.
3. Debtor is 22 months into her 100% plan and is \$4,302.00 in arrears to the Trustee as of today, October 18, 2018.
4. Debtor's current plan terms provide for the following payment and plan length: \$13,428.00 for the period January 22, 2017 through May 22, 2018 (17 months); thereafter, commencing June 22, 2018, the debtor shall pay \$1,663.00 per month and continuing until all allowed claims are paid in full.
5. Debtor proposes the plan terms be modified as follows: \$15,778.00 for the period January 22, 2017 through October 22, 2018 (22 months); thereafter, commencing November 22, 2018, the debtor shall pay \$1,776.21 per month and continuing until all allowed claims are paid in full.

PLEASE TAKE NOTICE THAT any objection must be filed with the Bankruptcy Clerk within 21 days of the date of this notice [or such other time period as may be permitted by Fed.R.Bankr.P. 9006(f)]. Those not required or not permitted to file electronically must deliver any response by U.S. Mail, courier, overnight/express mail, or in person at:

United States Bankruptcy Clerk
116 U.S. Courthouse
46 East Ohio Street
Indianapolis, IN 46204

The objecting party must ensure delivery of the objection to Debtors' counsel, Matthew M. Cree, Law Office of Matthew M. Cree, LLC, P.O. Box 7805, Greenwood, IN 46142, Tel. 317-695-1008, email: Matt@creelawoffice.com, with a copy to the Chapter 13 Trustee: John M. Hauber, Office of John M. Hauber, Chapter 13 Trustee, P.O. Box 441644, Indianapolis, IN 46244-1644, Tel. (317) 636-1062, email: ecfmail@hauber13.com. **If an objection is NOT timely filed, the requested relief will be granted.** If a response is filed, a hearing will be set at a later date, and all parties will receive a notice of that hearing.

WHEREFORE, Debtor, by counsel, requests that the Court modify the plan as proposed and grant such other relief as deemed appropriate.

Respectfully submitted,

/s/ Matthew M. Cree
Matthew M. Cree #27073-41
Law Office of Matthew M. Cree, LLC
PO Box 7805
Greenwood, IN 46142
T. 317.695.1008 | F. 317.942.0941
matt@creelawoffice.com
Counsel for Debtors

CERTIFICATE OF SERVICE

I hereby certify that on October 18, 2018, the foregoing Motion to Modify Plan and Notice of Objection Deadline was served upon the following parties via electronic filing or first class U.S. Mail, postage prepaid:

John M Hauber, Chapter 13 Trustee
Sarah E. Willms, sew@manleydeas.com
US Trustee, ustregion10.in.ecf@usdoj.gov

Those creditors identified on the Creditor Mailing Matrix (Exhibit A)

Tina A. Johnson
1922 Younce Street
Franklin, IN 46131

/s/ Matthew M. Cree
Matthew M. Cree #27073-41
Law Office of Matthew M. Cree, LLC
PO Box 7805
Greenwood, IN 46142
T. 317.695.1008 | F. 317.942.0941
matt@creelawoffice.com
Counsel for Debtors